1644 B



PATENT Customer Number 22,852 Attorney Docket No. 06843.0067-02000

IN THE LIMITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
 Jakobovits et al.

Application No.: 09/187,693

Filed: November 5, 1998

For: HUMAN MONOCLONAL
 ANTIBODIES TO EPIDERMAL
 GROWTH FACTOR RECEPTOR

Action Monoclonic (Comparison of the Comparison of

Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached IDS FORM PTO/SB/08. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or an action that otherwise closes prosecution after the Request for Continued Examination was filed on April 8, 2004. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed documents that are not United States patents are attached.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

12/02/2004 EABUBAK1 00000035 09187693

Application No.: 09/187,693 Attorney Docket No. 06843.0067-02000

This submission does not represent that a search has been made or that no

better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the

documents as prior art against any claim in the application and Applicants determine

that the cited documents do not constitute "prior art" under United States law,

Applicants reserve the right to present to the Office the relevant facts and law regarding

the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the

patentability of the claimed invention over the listed documents, should one or more of

the documents be applied against the claims of the present application.

If there is any further fee due in connection with the filing of this Statement,

please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,

GARRETT & DUNNER, L.L.P.

Dated: November 30, 2004

√ennifer/L. Elliot

Reg. No. 50,584

S Form PTO/S	B/08: Substitute for fo	orm 1449A/PTO		Complete if Known		
				Application Number	09/187,693	
INF	ORMATION	DISCLOSI	ARE D	Filing Date	November 5, 1998	
INFORMATION DISCLOSURE OF STATEMENT BY APPLICANT			<u> </u>	Confirmation No.	3392	
317			6	First Named Inventor	Aya JAKOBOVITS	
	(Use as many shee	ts as necessary)	י אחמ <i>ר</i> ווו יים א	Art Unit	1644	
		- '- '	TEG A 1 TOOM (xaminer Name	Phuong N. HUYNH	
Sheet	1	of 🔀	3 4	Attorney Docket Number	06843.0067-02000	
		- V	PANENTS S	-		

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS							
	Cite	Document Number	Issue or	Name of Patentee or	Pages, Columns, Lines, Where		
	No.	Number-Kind Code (if known)	Publication Date	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear		
		U.S. 6,075,181	June 13, 2000	Kucherlapati et al.			
		U.S. 6,150,584	Nov. 21, 2000	Kucherlapati et al.			
		U.S. 6,657,103 B1	Dec. 2, 2003	Kucherlapati et al.			
		U.S. 6,713,610 B1	March 30, 2004	Kucherlapati et al.			

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document Country Code Number Kind Code (if known)	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation		
		WO 96/33735	Oct. 31, 1996					

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		Restriction Requirement dated June 24, 1996, for U.S. Application No. 08/430,938, filed April 27, 1995.	
		Response to Office Action Under 37 C.F.R. § 1.115 dated July 24, 1996, for U.S. Application No. 08/430,938, filed April 27, 1995.	
		Office Action dated March 4, 1997, for U.S. Application No. 08/430,938, filed April 27, 1995.	
-		Office Action dated October 1, 1997, including Cox Declaration, for U.S. Application No. 08/486,857, filed June 7, 1995.	
		Amendment and Response dated April 1, 1998, for U.S. Application No. 08/486,857, filed June 7, 1995.	
		Office Action dated July 7, 1998, for U.S. Application No. 08/486,857, filed June 7, 1995.	
		Amendment and Response dated January 7, 1999, for U.S. Application No. 08/486,857, filed June 7, 1995.	
		Office Action dated April 9, 1999, for U.S. Application No. 08/486,857, filed June 7, 1995.	 · · · · - · · · · · ·
		Amendment and Response dated October 12, 1999, for U.S. Application No. 08/486,857, filed June 7, 1995.	
		Notice of Allowability with Examiner's Amendment, date unknown, for U.S. Application No. 08/486,857, filed June 7, 1995.	
		Preliminary Amendment and Request for Interference Under 37 C.F.R. § 1.607, dated January 17, 1997, for U.S. Application No. 08/724,752, filed October 2, 1996.	
		Office Action dated August 5, 1997, for U.S. Application No. 08/724,752, filed October 2, 1996.	
		Amendment and Response dated February 5, 1999, for U.S. Application No. 08/724,752, filed October 2, 1996.	
		Interview Summary of Interview conducted on December 14, 1999, for U.S. Application No. 08/724,752, filed October 2, 1996.	

Examiner	Date
Signature	Considered

IDS Form PTO/SB/08: Substitute for form 1449A/PTO		Complete if Known	
	Application Number	09/187,693	
INFORMATION DISCLOSURE	Filing Date	November 5, 1998	
INFORMATION DISCLOSURES	Confirmation No.	3392	
STATEMENT BY APPLICANT	First Named Inventor	Aya JAKOBOVITS	
(Use as many sheets as necessary)	C Art Unit	1644	٠
DEC 0 1 2004	Examiner Name	Phuong N. HUYNH	

2

Sheet

Attorney Docket Number

06843.0067-02000

	Va. av.
	Office Action dated December 2011 200, for U.S. Application No. 08/724,752, filed October 2, 1996.
	Amendment and Reply to Office Action dated February 23, 2000, for U.S. Application No. 08/724,752, filed October 2, 1996.
	Office Action dated February 3, 1999, for U.S. Application No. 08/759,620, filed December 3, 1996.
	Amendment and Response dated August 3, 1999, for U.S. Application No. 08/759,620, filed December 3, 1996.
	Office Action dated October 26, 1999, for U.S. Application No. 08/759,620, filed December 3, 1996.
	Preliminary Amendment dated November 27, 2000, for U.S. Application No. 08/759,620, filed December 3, 1996.
	Office Action dated January 17, 2001, for U.S. Application No. 08/759,620, filed December 3, 1996.
	Response to Final Official Action dated July 17, 2001, for U.S. Application No. 08/759,620, filed December 3, 1996.
	Advisory Action dated September 13, 2001, for U.S. Application No. 08/759,620, filed December 3, 1996.
	Office Action dated May 14, 1999, for U.S. Application No. 08/923,138, filed September 4, 1997.
	Office Action dated December 20, 2000, for U.S. Application No. 08/923,138, filed September 4, 1997.
····	Declaration of Jane T. Gunnison dated June 20, 2001, for U.S. Application No. 08/923,138, filed September 4, 1997.
	Amendment and Response dated June 20, 2001, for U.S. Application No. 08/923,138, filed September 4, 1997.
	Office Action dated October 2, 2001, for U.S. Application No. 08/923,138, filed September 4, 1997.
	Amendment and Response dated April 2, 2002, for U.S. Application No. 08/923,138, filed September 4, 1997.
	Office Action dated June 18, 2002, for U.S. Application No. 08/923,138, filed September 4, 1997.
	Declaration of R. Minako Pazdera dated July 18, 2002, for U.S. Application No. 08/923,138, filed September 4, 1997.
-	Amendment and Response dated July 18, 2002, for U.S. Application No. 08/923,138, filed September 4, 1997.
	Office Action dated October 22, 2002, for U.S. Application No. 08/923,138, filed September 4, 1997.
	Amendment and Response dated January 22, 2003, for U.S. Application No. 08/923,138, filed September 4, 1997.
	Office Action dated March 19, 2003, for U.S. Application No. 08/923,138, filed September 4, 1997.
	Amendment and Response dated May 19, 2003, for U.S. Application No. 08/923,138, filed September 4, 1997.
	Notice of Allowability and Examiner's Amendment, date unknown, for U.S. Application No. 08/923,138, filed September 4, 1997.
	Restriction Requirement dated June 20, 2001, for U.S. Application No. 09/614,092, filed July 11, 2000.
	Response to Restriction Requirement dated July 18, 2001, for U.S. Application No. 09/614,092, filed July 11, 2000.
	Preliminary Amendment dated February 23, 2001, for U.S. Application No. 09/614,092, filed July 11, 2000.
	Office Action dated July 5, 2002, for U.S. Application No. 09/614,092, filed July 11, 2000.
	Amendment and Response dated October 7, 2002, for U.S. Application No. 09/614,092, filed July 11, 2000.
	Office Action dated December 12, 2002, for U.S. Application No. 09/614,092, filed July 11, 2000.

	 	,
Examiner	Date	
Signature	Considered	

IDS Form PTO/SB/08: Substitute for form 1449A/PTO					Complete if Known			
				7	Application Number	09/187,693		
INF	ORMATION	DISCLO	SURFIPA	F	iling Date	November 5, 1998		
ST/	INFORMATION DISCLOSURE 1 P & STATEMENT BY APPLICANT				onfirmation No.	3392		
317	ZIEMENI L	or Arrey			rst Named Inventor	Aya JAKOBOVITS		
	(Use as many she	ets as necessar	0 DEC 0 1 2004		Mr Unit	1644		
			B	Æ	kaminer Name	Phuong N. HUYNH		
Sheet	3	of	3	13	ttomey Docket Number	06843.0067-02000		
			RADEMARK					

Amendment and Response dated April 14, 2003, for U.S. Application No. 09/614,092, filed July 11, 2000.	
Interview Summary of interview conducted on June 27, 2003, for U.S. Application No. 09/614,092, filed July 11, 2000.	
Notice of Allowability and Examiner's Amendment, date unknown, for U.S. Application No. 09/614,092, filed July 11, 2000.	
Preliminary Amendment dated February 19, 2002, for U.S. Application No. 10/078,958, filed February 19, 2002.	
Preliminary Amendment dated July 16, 2002, for U.S. Application No. 10/078,958, filed February 19, 2002.	
Office Action dated December 3, 2003, for U.S. Application No. 10/078,958, filed February 19, 2002.	
Amendment and Response dated June 3, 2004, for U.S. Application No. 10/078,958, filed February 19, 2002.	
Office Action dated September 9, 2004, for U.S. Application No. 10/078,958, filed February 19, 2002.	
Bruggemann, M. et al., September 1989, "A repertoire of monoclonal antibodies with human heavy chains from transgenic mice." Proceedings of the National Academy of Sciences USA 86: 6709-6713.	
Bruggemann, M. et al., 1990, "Construction, Function and Immunogenicity of Recombinant Monoclonal Antibodies." Behring Inst. Mitt. 87: 21-24.	
Bruggemann, M. et al., 1991, "Human antibody production in transgenic mice: expression from 100 kb of the human IgH locus." Eur. J. Immunol. 21: 1323-1326.	
Bruggemann, M. et al., August 1996, "Strategies for expressing human antibody repertoires in transgenic mice." Immunology Today 17: 391-397.	
Buttin, G., August 1987, "Exogenous Ig gene rearrangement in transgenic mice: a new strategy for human monoclonal antibody production?" Trends in Genetics 3: 205-206.	
Fishwild, D.M. et al., July 1996, "High-avidity human IgGk monoclonal antibodies from a novel strain of minilocus transgenic mice." Nature Biotechnology 14: 845-851.	
Green, L.L., et al., May 1994, "Antigen-specific human monoclonal antibodies from mice engineered with human Ig heavy and light chain YACs." Nature Genetics 7: 13-21.	
Jakobovits, A., 1995, "Production of fully human antibodies by transgenic mice." Curr. Opin. Biotechnol. 6: 561-566.	
Jakobovits, A., et al., 1995, "Production of Antigen-Specific Human Antibodies from Mice Engineered with Human Heavy and Light Chain YACs." Annals New York Academy Of Sciences 764: 525-535.	
Jakobovits, A., et al., 1997, "Humoral immunity in mice engineered with megabase human heavy and kappa light chain YACs." J. Allergy Clin. Immunol. 99: S113.	
 Lonberg, N. et al., April 28, 1994, "Antigen-specific human antibodies from mice comprising four distinct genetic modifications." Nature 368: 856-859.	
Morrison, S.L., April 28, 1994, "Success in specification." Nature 368: 812-813.	
Wagner, S.D., et al., 1994, "The diversity of antigen-specific monoclonal antibodies from transgenic mice bearing human immunoglobulin gene miniloci." Eur. J. Immunol. 24: 2672-2681.	
Yang, XD. et al., 1997, "Human monoclonal antibodies to human TNF-α generated from mice carrying human Ig loci." J. Allergy Clin. Immunol. 99: S15.	

Examiner	Date	
Signature	Considered	